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**FEB 08 2008**

PTO/SB/84 (7-99)

Approved for use through 3/22/01. OMB 0851-0031

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional) <b>NLF-0323</b>
<div style="display: flex; justify-content: space-between;"> <div> <p>First named inventor: Angela J. Keeney</p> <p>Application No.: 10/678,468</p> <p>Filed: October 3, 2003</p> <p>Title: HIGH VISCOSITY INDEX WIDE-TEMPERATURE FUNCTIONAL FLUID COMPOSITIONS AND METHODS FOR THEIR MAKING AND USE</p> <p>Attention: Office of Petitions Commissioner for Patents Mail Stop: Petition P.O. Box 1450 Alexandria, Virginia 22313-1450</p> </div> <div> <p>Examiner: Ellen M. McAvoy</p> <p>Group Art Unit: 1797</p> <p>Confirmation Number: 3346</p> </div> </div>		
<p><b>NOTE:</b> If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the USPTO. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p> <p align="center"><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b></p> <p><b>NOTE:</b> A grantable petition requires the following items:</p> <ul style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and</li> <li>(4) Statement that the entire delay was unintentional.</li> </ul> <p>1. Petition fee</p> <p><input type="checkbox"/> Small entity - fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity - fee \$ <u>1,540.00</u> (37 CFR 1.17(m))</p> <p><input checked="" type="checkbox"/> <i>Commissioner is authorized to charge Deposit Account No. 05-1330.</i></p> <p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):</p> <p><input checked="" type="checkbox"/> has been filed previously on <u>August 17, 2007</u>. The RCE is <u>enclosed herewith</u>.</p> <p><input checked="" type="checkbox"/> is enclosed herewith. <u>RCE fee of \$810.00</u></p> <p><input checked="" type="checkbox"/> <i>Commissioner is authorized to charge Deposit Account No. 05-1330.</i></p> <p>B. The issue fee of \$ _____</p> <p><input type="checkbox"/> has been filed previously on _____.</p> <p><input type="checkbox"/> is enclosed herewith.</p> <p><input checked="" type="checkbox"/> <i>Commissioner is authorized to charge Deposit Account No. 05-1330.</i></p>		

[Page 1 of 2]

**Burden Hour Statement:** This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/64 (7-99)

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## 3. Terminal disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity disclaiming the required period of time is to be charged to Deposit Account No. 05-1330 (see PTO/SB/63).

4. Statement: The entire delay in filing the required reply from the due date for the required replay until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [Note. The USPTO may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP) 711.03(c)III(C) and (D)].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Date

Signature

Telephone

Number: (908) 730-2114

GARY P. KATZ

Typed or printed name

Facsimile

Number: (908) 730-3649

ExxonMobil Research and Engineering Company

P. O. Box 900

Annandale, New Jersey 08801-0900

- Enclosures: ☒ Fee Payment [Commissioner is authorized to charge Deposit Account No. 05-1330]  
☒ Reply  
☐ Terminal Disclaimer Form  
☒ Additional sheets containing statements establishing unintentional delay

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Attention: Office of Petitions, Commissioner for Patents, Mail Stop: Petition, P.O. Box 1450, Alexandria, Virginia 22313-1450.  
☒ transmitted by facsimile on the date shown below to the Patent and Trademark Office at 571-273-8300.

February 8, 2008  
Susan Fleming

Date

February 7, 2008

Signature

Susan Fleming  
Typed or printed name of person signing Certificate

[Page 2 of 2]

**RECEIVED  
CENTRAL FAX CENTER****FEB 08 2008****"PATENT"****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of ) Before the Examiner  
Angela J. Keency, et al. ) Ellen M. McAvoy  
U. S. Serial No. 10/678,468 ) Confirmation Number: 3346  
Filed: October 3, 2003 ) Group Art Unit: 1764  
HIGH VISCOSITY INDEX WIDE- )  
TEMPERATURE FUNCTIONAL FLUID ) Family Number: P2002J112 US2  
COMPOSITIONS AND METHODS FOR )  
THEIR MAKING AND USE )

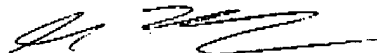
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**STATEMENT OF UNINTENTIONAL DELAY**

The entire delay of submitting the Request for Continuing Examination ("RCE") was unintentional. Applicants thought they faxed the attached RCE with the signed certificate of Facsimile Transmission. Unfortunately, Applicants did not receive a facsimile confirmation and most likely the facsimile did not go through. Accordingly, Applicants are requesting the application be revived.

Respectfully submitted,

  
Gary P. Katz  
Attorney for Applicant(s)  
Registration No. 46,099  
Telephone Number: (908) 730-2114  
Facsimile Number: (908) 730-3649

☒ Pursuant to 37 CFR 1.34(a)

ExxonMobil Research and Engineering Company  
P. O. Box 900  
Annandale, New Jersey 08801-0900  
GPK:sbf; 2/8/08

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the  
Commissioner for Patents facsimile number 1-571-273-8300 on the date shown below.

Susan Fleming  
Print name of person signing certification

  
Signature

February 8, 2008  
Date

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